



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

May 9, 2020

BY ECF

The Honorable Laura Taylor Swain
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

MEMO ENDORSED

Re: *United States v. Ricardo Fabian*, 19 Cr. 566 (LTS)

Dear Judge Swain:

The Court has scheduled this case for a status conference on May 14, 2020, at 2:00 p.m. Since the last status conference in this case, the parties have engaged in disposition discussions, and those discussions are ongoing and are expected to progress in the coming weeks. Additionally, due to the COVID-19 pandemic and the need to take precautions to prevent the spread of disease, the parties agree that an in-person status conference is not appropriate at this time. Accordingly, the parties jointly respectfully request that the Court adjourn the status conference by approximately 45 days.

Because the purpose of this adjournment is to facilitate disposition discussions among the parties, and to protect public health in a time of national emergency, the parties jointly submit that the ends of justice served by this continuance outweigh the interests of the defendant and the public in a speedy trial, and request that time be excluded under the Speedy Trial Act from May 14, 2020 to the new date set by the Court. The parties are generally available during that time period.

THE APPLICATION IS GRANTED. THE CONFERENCE IS
ADJOURNED TO JUNE 26, 2020 AT 11:30 A.M. THE
COURT FINDS PURSUANT TO 18 U.S.C. § 3161(h)(7)(A)
THAT THE ENDS OF JUSTICE SERVED BY AN EXCLUSION
OF THE TIME FROM TODAY'S DATE THROUGH JUNE 26,
2020, OUTWEIGH THE BEST INTERESTS OF THE PUBLIC
AND THE DEFENDANT IN A SPEEDY TRIAL FOR THE
REASONS STATED ABOVE. DE# 59 RESOLVED.
SO ORDERED.

DATED: 5/11/2020
/s/ Laura Taylor Swain, USDJ

Respectfully submitted,

GEOFFREY S. BERMAN
United States Attorney for
the Southern District of New York

By: /s/ Thane Rehn
Thane Rehn
Assistant United States Attorney
(212) 637-2354

cc: Jesse Siegel, Esq. (via ECF)